

CENTRAL OCT 17 1997

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ORDINANCE NO. 97-26

2 AN ORDINANCE OF THE BOARD OF COUNTY
3 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
4 AMENDING THE 1989 PALM BEACH COUNTY
5 COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO.
6 89-17, AS AMENDED; AMENDING THE FUTURE LAND
7 USE ATLAS (FLUA) FOR 97-57 IND 1 (INDIAN
8 ROAD), MODIFYING PAGE 57 OF THE FLUA BY
9 CHANGING 37 PARCELS OF LAND TOTALING
10 APPROXIMATELY 9.58 ACRES, GENERALLY LOCATED ON
11 INDIAN ROAD AND SCOTT AVENUE, NORTH OF
12 OKEECHOBEE BLVD, FROM COMMERCIAL/RESIDENTIAL 8
13 (C/8) TO COMMERCIAL/INDUSTRIAL (C/IND);
14 PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
15 PROVIDING FOR SEVERABILITY; PROVIDING FOR
16 INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND
17 PROVIDING FOR AN EFFECTIVE DATE.

18 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of
19 County Commissioners adopted the 1989 Comprehensive Plan by
20 Ordinance No. 89-17; and

21 **WHEREAS**, the Palm Beach County Board of County Commissioners
22 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
23 II, Florida Statutes; and

24 **WHEREAS**, the Palm Beach County Board of County Commissioners
25 have initiated amendments to several elements of the Comprehensive
26 Plan in order to promote the health, safety and welfare of the
27 public of Palm Beach County; and

28 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
29 a public hearing on February 28, March 14, and March 28, 1997, to
30 review the proposed amendments to the Palm Beach County
31 Comprehensive Plan and made recommendations regarding the proposed
32 amendments to the Palm Beach County Board of County Commissioners
33 pursuant to Chapter 163, Part II, Florida Statutes; and

34 **WHEREAS**, the Palm Beach County Board of County Commissioners,
35 as the governing body of Palm Beach County, conducted a public
36 hearing pursuant to Chapter 163, Part II, Florida Statutes, on
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March 31 and April 2, 1997, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on July 7, 1997, the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated July 3, 1997, which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of
Community Affairs contained no objections to the amendments

WHEREAS, on August 8, 1997, the written comments submitted by the Department of Community Affairs, and the Planning Division's response to the written comments, were reviewed by the Palm Beach County Local Planning Agency to make recommendations regarding adoption of the Comprehensive Plan amendments; and

WHEREAS, on September 22, 1997, the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land
Use Element of the 1989 Comprehensive Plan

The following amendment to the Land Use Element's Future Land

Use Atlas is hereby adopted. A map depicting the amendment is attached to this Ordinance as Exhibit A:

A. Future Land Use Atlas page 57 is amended as follows:

Application No.: 97-57 IND 1 (INDIAN ROAD)

Amendment: Changing 37 parcels of land, from
Commercial/ High Residential 8 (C/8)
to Commercial/Industrial (C/IND)

General Location: On Indian Road and Scott Avenue,
north of Okeechobee Blvd

Size: Approximately 9.58 Acres

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever

1 occurs earlier. No development orders, development permits, or
2 land uses dependent on this amendment may be issued or commence
3 before it has become effective. If a final order of noncompliance
4 is issued by the Administration Commission, this amendment may
5 nevertheless be made effective by adoption of a resolution
6 affirming its effective status, a copy of which resolutions shall
7 be sent to the Department of Community Affairs, Bureau of Local
8 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

9 **APPROVED AND ADOPTED** by the Board of County Commissioners of
10 Palm Beach County, on the 22 day of September, 1997.

11 ATTEST:
12 DOROTHY H. WILKEN, Clerk
13 *Dorothy H. Wilken*
14 Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS
By *Burton* Chair

15 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
16 *Robert P. Ross*
17 COUNTY ATTORNEY

18 Filed with the Department of State on the 29 day
19 of September, 1997.

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EXHIBIT A

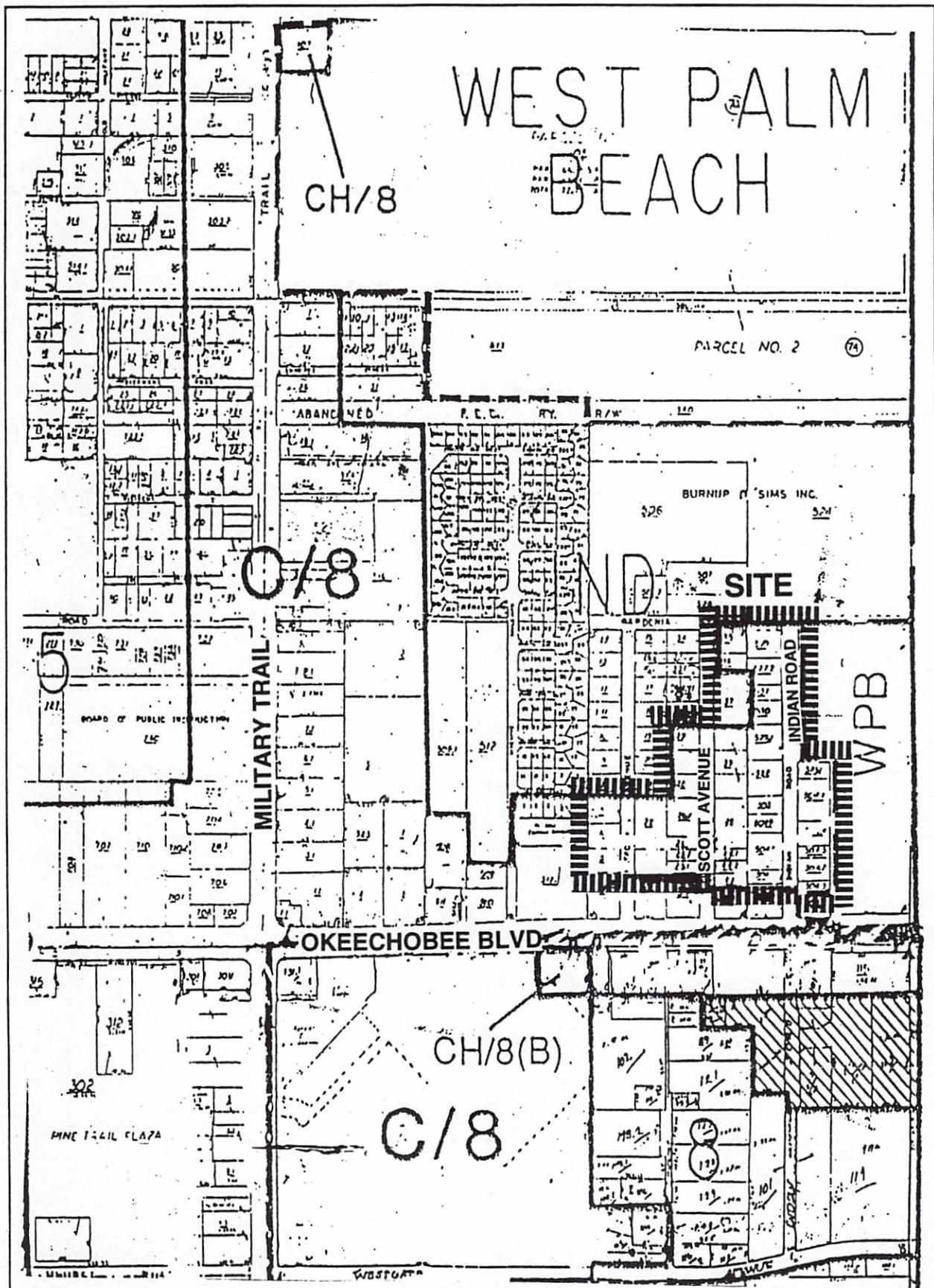
Future Land Use Atlas page 56 is amended as follows:

Application No.: 97-56 IND 1 (INDIAN ROAD) *County Initiated Corrective Amendment*

Amendment: Changing 37 parcels of land, from Commercial/ High Residential 8 (C/8) to Commercial/Industrial (C/IND)

General Location: On Indian Road and Scott Avenue, north of Okeechobee Blvd

Size: Approximately 9.58 total acres



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Property Information:

Property Number	Size	Address
00 42 43 24 00 000 5043	.19 acres	2040 Indian Road
00 42 43 24 00 000 5042	.31 acres	2048 Indian Road
00 42 43 24 00 000 5045	.16 acres	2060 Indian Road
00 42 43 24 00 000 5044	.31 acres	2080 Indian Road
00 42 43 24 00 000 5046	.51 acres	2120 Indian Road
00 42 43 24 00 000 5251	.22 acres	2132 Indian Road
00 42 43 24 00 000 0504	.20 acres	2051 Indian Road
00 42 43 24 00 000 5048	.48 acres	2061 Indian Road
00 42 43 24 00 000 5049	.25 acres	2091 Indian Road
00 42 43 24 00 000 0503	.25 acres	2101 Indian Road
00 42 43 24 00 000 0528	.46 acres	2145 Indian Road
00 42 43 24 00 000 5271	.46 acres	2155 Indian Road
00 42 43 24 00 000 5300	.33 acres	0000 Indian Road
00 42 43 24 00 000 0531	.20 acres	2191 Indian Road
00 42 43 24 00 000 5272	.36 acres	2215 Indian Road
00 42 43 24 00 000 0527	.38 acres	2233 Indian Road
00 42 43 24 01 000 0041	.19 acres	2042 Scott Ave.
00 42 43 24 01 000 0420	.64 acres	2070 Scott Ave.
00 42 43 24 01 000 0350	.35 acres	0000 Scott Ave.
00 42 43 24 01 000 0360	.32 acres	0000 Scott Ave.
00 42 43 24 01 000 0370	.64 acres	0000 Scott Ave.
00 42 43 24 01 000 0390	.96 acres	2140, 2150 Scott Avenue
00 42 43 24 01 000 0441	.16 acres	2060 Scott Ave.
00 42 43 24 01 000 0442	.16 acres	2050 Scott Ave.
00 42 44 01 12 000 0290	.17 acres	803 Scott Avenue (2 parcels)
00 42 43 24 01 000 0280	.32 acres	0000 Scott Ave.
00 42 43 24 01 000 0251	.16 acres	2059 Scott Ave.
00 42 43 24 01 000 0252	.16 acres	2069 Scott Avenue
00 42 43 24 01 000 0261	.16 acres	2075 Scott Avenue
00 42 45 25 11 000 0220	.10 acres	10880 Stafford Circle
00 42 45 25 11 000 0050	.10 acres	2045 Stafford Circle
00 42 45 25 11 000 0060	.15 acres	2083 Stafford Circle
00 42 45 25 11 000 0070	.12 acres	2097 Stafford Circle
00 42 43 24 01 000 0262	.32 acres	2101 Scott Avenue

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STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, DOROTHY H. WILKEN, ex-officio Clerk of the
 Board of County Commissioners certify this to be a
 true and correct copy of the original filed in my office
 on 9/22/97

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DATED at West Palm Beach, FL on 10/7/97.
 DOROTHY H. WILKEN, Clerk
 By: James A. House D.C.

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